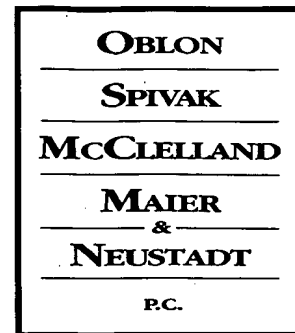




Docket No.: 216499US55CONT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/668,214

Applicants: Alan K. SMITH, et al.

Filing Date: September 24, 2003

For: HUMAN LINEAGE COMMITTED CELL COMPOSITION WITH
ENHANCED PROLIFERATIVE POTENTIAL, BIOLOGICAL EFFECTOR
FUNCTION, OR BOTH; METHODS FOR OBTAINING SAME; AND THEIR
USES

Group Art Unit: 1644

Examiner: BELYAVSKIY, Michail A.

SIR:

Attached hereto for filing are the following papers:

**NOTICE OF NON-COMPLIANT AMENDMENT (COPY)
LETTER SUBMITTING REPLACEMENT DRAWING SHEETS
SIX (6) REPLACEMENT DRAWING SHEETS FOR FIGS. 1A, 1B, 1C, 1D, 2A, 2B,
3A, 3B, 4A, 4B, 5**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Jean-Paul Lavalleye

Registration No. 31,451

Customer Number

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Daniel J. Pereira, Ph.D.
Registration No. 45,518

Docket No.: 216499US55CONT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION: Alan K. SMITH, et al.

SERIAL NO.: 10/668,214

GAU: 1644

FILED: September 24, 2003

EXAMINER: BELYAVSKYI, Michail A.

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PROLIFERATIVE POTENTIAL, BIOLOGICAL EFFECTOR FUNCTION, OR BOTH;
METHODS FOR OBTAINING SAME; AND THEIR USES

LETTER SUBMITTING REPLACEMENT DRAWING SHEETS

COMMISSIONER FOR PATENTS
Alexandria, VA 22313

SIR:

Responsive to the below indicated communication, the following drawing sheets are submitted herewith:

- ☒ 6 Replacement Drawing Sheets ☐ _____ New Drawing Sheets
- ☐ Official Action dated _____
- ☐ Notice of Allowance/Issue Fee dated _____
- ☒ Notice of Non-Compliant Amendment dated April 12, 2006

The changes and/or modifications made include the following:

The attached Replacement Drawing Sheets are now properly identified in the top margin, as requested.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Jean-Paul Lavalleye
Registration No. 31,451

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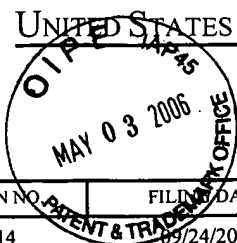
22850

Tel. (703) 413-3000
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UNITED STATES PATENT AND TRADEMARK OFFICE



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United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/668,214	04/24/2003	Alan K. Smith	216499US55CONT	1574
22850	7590	04/12/2006	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			BELYAVSKIY, MICHAEL A	
			ART UNIT	PAPER NUMBER
			1644	

DATE MAILED: 04/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED: 4/14/06
OBLON, SPIVAK, McCLELLAND
MAIER & NEUSTADT, P.C.
DOCKETING DEPT
Initials/Date Docketed: PP4/14/06
Type of Resp(s): resp to nm - resp
Due Date(s): 5-12-06

COPY

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

10/668,214

Examiner

Applicant(s)

SMITH ET AL.

Art Unit

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 03 April 2006 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

☐ 1. Amendments to the specification:

- ☐ A. Amended paragraph(s) do not include markings.
☐ B. New paragraph(s) should not be underlined.
☐ C. Other _____.

☐ 2. Abstract:

- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
☐ B. Other _____.

☒ 3. Amendments to the drawings:

- ☒ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
☐ C. Other _____.

☐ 4. Amendments to the claims:

- ☐ A. A complete listing of all of the claims is not present.
☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
☐ E. Other: _____.

☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

COPY

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

- Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
- Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Katrina Turner

Legal Instruments Examiner (LIE), if applicable

571-272-0564

Telephone No.